

BW/MG/RB  
F. #2021R00629

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

ELEMENTS SHEET

- against -

22-CR-458 (LDH) (SJB)

YANBING CHEN,  
also known as “Yehua Huang” and  
“Yun Ye,”

Defendant.

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The government respectfully submits this elements sheet to advise the Court of the elements of Count Eleven of the above-captioned indictment, which charges the defendant YANBING CHEN with conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956(h).

Count Eleven – Conspiracy to Commit Money Laundering

The elements of conspiracy to commit money laundering in violation of 18 U.S.C. § 1956(h) are as follows:

1. There was an agreement between two or more persons to commit money laundering, and
2. The defendant knowingly and intentionally became a member of the conspiracy.<sup>1</sup>

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<sup>1</sup> Adapted from Jury Instruction, United States v. Napout, 15-CR-252 (PKC) (Dec. 26, 2017) (ECF No. 872).

The elements of money laundering in violation of 18 U.S.C. § 1957(a) are as follows:

1. The defendant engaged in a monetary transaction in or affecting interstate commerce;
2. The monetary transaction involved criminally derived property of a value greater than \$10,000;
3. The property was derived from specified unlawful activity;
4. The defendant acted with knowledge that the transaction involved proceeds of a criminal offense; and
5. The transaction took place in the United States, or the defendant is a United States citizen, national, or permanent resident.<sup>2</sup>

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<sup>2</sup> Adapted from Sand, Modern Federal Jury Instructions, Instruction 50A-26.

## Count Twenty-Six – Aggravated Identify Theft

The elements of aggravated identity theft in violation of 18 U.S.C. § 1028A are as follows:

1. The defendant knowingly transferred, possessed, or used a means of identification of another person;
2. The defendant used the means of identification during and in relation to the offense of felony violation enumerated in subsection (c)<sup>3</sup>; and
3. The defendant acted without lawful authority.<sup>4</sup>

Dated: Brooklyn, New York  
June 13, 2024

Respectfully submitted,

BREON PEACE  
United States Attorney  
Eastern District of New York

By: /s/  
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cc: Lance Lazzaro, Esq.

<sup>3</sup> 18 U.S.C. § 1028(A)(c)(5) states that “[f]or purposes of this section, the term ‘felony violation enumerated in subsection (c)’ means any offense that is a felony violation of . . . any provision contained in chapter 63 (relating to mail, bank, and wire fraud).” This includes bank fraud.

<sup>4</sup> Adapted from Sand, et al., Modern Federal Jury Instructions, Instruction 39A-51.